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EXAMINER	
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ART UNIT	**PAPER NUMBER**
2142	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/697,405	CLEMM ET AL.	
	Examiner	Art Unit	
	John M. Frink	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 October 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-84* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-84* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 1 – 84 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Regarding claims 1 – 21, said claims are addressed to a method including a network device, an alarm identification component and a network operations center. However, said network device is specified in [26] as being potentially embodied only in software, as are said alarm identification component in [22] and said operations center in [21]. Regarding claims 22 – 42 and 64 - 84, said claims address a computer-readable medium. However, [62] specifically defines a computer-readable medium to include acoustic and light waves. Regarding claims 43 - 63, said claims are addressed to a means including a network device, an alarm identification component and a network operations center. However, said network device is specified in [26] as being potentially embodied only in software, as are said alarm identification component in [22] and said operations center in [21].

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 7, 8, 9, 28, 29, 30, 49, 50, 51, 70, 71 and 72 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specifically, all of claims 7, 8, 9, 28, 29, 30, 49, 50, 51, 70, 71 and 72, as amended, now discuss where both a first and a second alarm identification component are utilized where one alarm identification component, as outlined in claim 1, is in the device generating said alarm, and the other alarm identification component, described in the claims 7, 8, 9, 28, 29, 30, 49, 50, 51, 70, 71 and 72, is in a different device. Figs. 1A and 1B illustrates and discloses these two ideas for placement of said alarm identification components, but there is no support in the specification for utilizing both alarm identification components together.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting

directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1 – 6, 9, 11 – 14, 21 – 27, 30, 32 – 35, 42 – 48, 51, 53 - 56, 63 – 69, 72, 74 – 77 and 84 are rejected under 35 U.S.C. 102(e) as being anticipated by Levi (US 6,636,983 B1).

7. Regarding claims 1, 21, 43 and 64 Levi shows a method for communicating an alarm in a computer network comprising a, as well as a computer-readable medium (col. 2 lines 32 - 45), along with means for (col. 2 lines 6 – 23, col. 21 lines 3 – 7, col. 29 lines 28 - 44) a network device (Fig. 6, item 30) detecting an event within the network device on the computer network, wherein the network device is included in a particular site in a plurality of sites and wherein the event results from a change in operation of the network device (col. 3 line 45 – col. 4 line 4, col. 4 lines 25 – 34, col. 5 line 49 – col. 5 line 17)

In response to detecting the event, the network device generating and propagating an alarm to the alarm identification component that is hosted within the network device (col. 4 line 49 – col. 5 line 17, where the event is propagated by, in one embodiment, writing to a log (col. 5 lines 13 – 15) or relaying an event (col. 4 line 56-58))

the alarm identification component (Fig. 6 item 81) augmenting the alarm with identification information to create an augmented alarm, wherein the identification information uniquely identifies the particular site among the plurality of sites (col. 15

lines 43 - 44, col. 8 lines 56-65, col. 17 lines 27 - 32) and

transmitting the augmented alarm to a network operations center for the computer network, wherein the network operations center is external to the particular site and the network operations center processes alarms for each site in the plurality of sites (col. 15 lines 48-67).

8. Regarding claims 2, 23, 44 and 65, Levi further shows where the identification information comprises a first portion and a second portion, wherein the first portion uniquely identifies the particular site among the plurality of sites, and the second portion includes the MAC address of the network device (col. 17 lines 27 – 32 showing the device ID + the MAC address, where devices are associated and linked to sites and thus the device ID identifies the device along with the site. Additionally, col. 22 lines 20 – 35 shows utilizing the device network address (representing applicants claimed 'site')).

9. Regarding claims 3, 24, 45 and 66, Levi further shows wherein the identification information comprises a first portion and a second portion, wherein the first portion uniquely identifies the particular site among the plurality of sites and the second portion uniquely identifies the network device on the computer network (col. 17 lines 27 - 32 and col. 22 lines 20 – 35, where said MAC address is inherently unique).

10. Regarding claims 4, 25, 46 and 67, Levi further shows wherein the identification information comprises a first portion and a second portion, wherein the first portion uniquely identifies the particular site among the plurality of sites and the second portion

includes an IP address for the network device on the computer network (col. 22 lines 23 -35).

11. Regarding claims 5, 26, 47 and 68, Levi further shows wherein the identification information comprises a first portion and a second portion wherein the first portion uniquely identifies the particular site among the plurality of sites and the second portion includes geographical information associated with the particular site in which the alarm originated (col. 22 lines 23 - 35, showing using a zip code and GPS information).

12. Regarding claims 6, 27, 48 and 69, Levi further shows wherein the identification information comprises a first portion and a second portion where the first portion uniquely identifies the particular site among the plurality of sites and the second portion includes network information associated with the particular site in which the alarm originated (col. 22 lines 23 – 35, where the network IP address represents said 'network information').

13. Regarding claims 9, 30, 51 and 72, Levi further shows wherein the alarm identification component is a first alarm identification component, the network device is a first network device (col. 4 line 49 - col. 5 line 17) and a second alarm identification component is hosted by a second network device that is included in the particular site (Fig. 1, showing multiple devices per site that are monitored, where each monitored device contains an alarm identification component).

14. Regarding claims 11, 32, 53 and 74, Levi further shows wherein the step of detecting the event comprises detecting a condition using a SNMP agent that is in the network device (Fig. 6A, col. 17 lines 1 - 37).

15. Regarding claims 12, 33, 54 and 75, Levi further shows wherein the step of propagating the alarm to the alarm identification component is performed by transmission of a SNMP message, a Syslog event, or a CNS bus event (col. 17 lines 1 - 37).

16. Regarding claims 13, 34, 55 and 76, Levi further shows wherein the network device is selected from the group consisting of a switch, a router, an IP phone, a call manager component, a voice mail component, and an event monitoring component (Fig. 12, item 630 and col. 29 lines 27-42).

17. Regarding claims 14, 35, 56 and 77, Levi further shows creating the identification information based on an address of the network device on the computer network (col. 8 lines 57 – 64).

Regarding claims 21, 42, 63 and 84, Levi further shows wherein the augmented alarm is included in a plurality of augmented alarms received at the network operations center, wherein the plurality of augmented alarms includes one or more augmented alarms from each site of the plurality of sites (col. 3 line 45 – col. 5 line 35) wherein said each one or more augmented alarms is based on identification information that uniquely identifies said each site among the plurality of sites (col. 8 lines 55 - 65, col. 17 lines 27-32, col. 15 lines 43-44) wherein the network operations center creates a view comprising a subset of the plurality of augmented alarms corresponding to the particular site by filtering the plurality of augmented alarms corresponding to the particular site by filtering the plurality of augmented alarms based on the identification information that uniquely identifies the particular site among the plurality of sites (Fig. 1 and col. 14 line

17 – col. 15 line 20).

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

19. Claims 7, 8, 15, 28, 29, 36, 49, 50, 57, 70, 71 and 78 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levi in view of Natarajan et al. (US 2002/0156882 A1), hereafter Natarajan, further in view of Bearden et al. (US 2003/0097438 A1), hereafter Bearden.

20. Regarding claims 7, 28, 49 and 70, Levi shows claims 1, 22, 43 and 64, along with where the alarm identification component is a first alarm identification component (Fig. 6).

Levi does not show said second alarm identification component.

Natarajan shows a second alarm identification component, including where alarm identification components are distributed in other devices, including routers (Fig. 1 and [12, 19, 20 and 30]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Levi with that of Natarajan in order to improve reliability by distributing the alarm identification tasks among more machines, as well as to better utilize available network resources.

Levi in view of Natarajan do not show an edge router.

Beard shows where it is common to have an edge router in a network ([16]).

It would have been obvious to one or ordinary skill in the art at the time of the invention to modify the disclosure of Levy in view of Natarajan with that of Beard in order to utilize common network equipment.

21. Regarding claims 8, 29, 50 and 71, Levy in view of Natarajan and Beard further show wherein the alarm identification component is a first alarm identification component, each site in the plurality of sites is a local area network, a second alarm identification component is hosted by a router (Natarajan [30]) that communicates with one or more edge routers and wherein each one of the one or more edge routers is associated with a different site in the plurality of sites (Bearden [16]).

22. Regarding claims 15, 36, 57 and 78, Levy in view of Natarajan and Beard further show wherein the alarm identification component is a first alarm identification component (Levi, Fig. 6), each site in the plurality of sites is a local area network and wherein a second alarm identification component is hosted by a router (Natarajan [30]) that communicates with one or more edge routers and wherein each of the one or more edge routers is associated with a different site in the plurality of sites (Bearden [16]).

Claims 10, 31, 52 and 73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levi as applied to claims 1, 22, 43 and 64 above, and further in view of Perkins (SNMP Alarms and MIB Module).

Levi shows the alarm identification component augmenting the alarm, including using SNMP, but does not show wherein the step of the alarm identification component augmenting the alarm with identification information comprises conveying the

identification information in a VarBind portion of an SNMP message associated with the alarm.

Perkins shows herein the step of augmenting the alarm with identification information comprises conveying the identification information in a VarBind portion of a SNMP message associated with the alarm (Section 4).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Levi with that of Perkins as Perkins' disclosure is concerned solely with SNMP Alarms and how they can best be utilized and leveraged (Perkins, title, Section 1), while Levi also enables using and anticipates the use of SNMP for the same purpose.

23. Claims 18, 20, 39, 41, 60, 62, 81 and 83 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levi as applied to claims 1, 22, 43 and 64 above, and further in view of Natarajan.

24. Regarding claims 18, 39, 60 and 81, Levi shows claims 1, 22, 43 and 64.

Levi does not show where the identification information is the same for each alarm originating in the particular site.

Natarajan shows where the identification information is the same for each alarm originating in the particular site ([21] lines 10-12).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Levi with that of Natarajan in order to utilize an alternative and simpler identification scheme as less information would be required to identify a site rather than a particular device within said site.

25. Regarding claims 20, 41, 62 and 83, Levi in view of Natarajan further show wherein the network device is a first network device, wherein a second network device is included in a different site in the plurality of sites than the particular site that includes the first device (Levi, Fig. 1, showing multiple sites and multiple monitored device per site), wherein the first device and second device are associated with an IP address that is the same for both the first device and the second device, and wherein the identification information allows the network operations center to determine that the augmented alarm is for the first network device instead of the second network device (Natarajan [7-12] and [20]).

26. Claims 16, 37, 58 and 79 rejected under 35 U.S.C. 103(a) as being unpatentable over Levi as applied to claims 1, 22, 43 and 64 above, and further in view of Lecheler et al. (US 6,425,008 B1), hereafter Lecheler.

Levi shows claims 1, 22, 43 and 64 but does not show creating identification information based on a table that maps network device addresses to identification information.

Lecheler shows creating the identification information based on a table that maps device addresses to identification information (Fig. 3 item 84).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Levi with that of Lecheler in order to reduce the time necessary to respond to an error and reduce the time necessary to correct the error (Lecheler col. 6 lines 22 – 26).

Claims 17, 38, 59 and 80 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levi further in view of Lecheler, Natarajan and Goudreau (US 2004/0213224 A1).

Levi shows claims 1, 22, 43 and 64.

Levi does not show determining whether the identification information can be created based on a table that maps network device addresses to identification information, when the identification information can not be created based on the table, determining whether the identification information can be created based on an address of an edge router for the particular site, and when the identification information can not be created based on an address of the edge router for a particular site, creating the identification information using default identification information.

Lecheler shows where the identification information may be created based on a table that maps device addresses to identification information (Fig. 3 item 84).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Levi with that of Lecheler in order to reduce the time necessary to respond to an error and reduce the time necessary to correct the error (Lecheler col. 6 lines 22 – 26).

Levi in view of Lechler do not show when the identification information can not be created based on the table, determining whether the identification information can be created based on an address of an edge router for the particular site, and when the identification information can not be created based on an address of the edge router for a particular site, creating the identification information using default identification

information.

Natarajan show creating identification information based on the address of an edge router for the particular site ([26, 29]) and creating the identification information using a default identification information (Natarajan [0021-0023], where in this embodiment a default set of information is used, one embodiment being utilizing the customer name as the default identifier for all alarm components utilized in that customer's site).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Levi in view of Lecheler with that of Natarajan in order to enable additional methods for creating identification information, as more options leads to a more robust system. Further, by having identification information that can always be retrieved/utilized (the default case) further stability is inherently added to the system.

Levi in view of Lecheler and Natarajan do not show prioritizing the use of said mapping table over said edge router information.

Goudreau shows prioritizing the use of said mapping table over said edge router information, specifically showing where said mapping table is the fastest, most simple method [0009], and providing utilizing edge routers as a more advanced alternative [0003-0007, 0016].

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Levi in view of Lecheler and Natarajan and with that of Goudreau in order to provide for more advanced traffic management designed to

accommodate present and future internet traffic that considers multiple methods of managing said traffic in order to utilize the optimum choice (Goudreau, [0002-0009]).

Claims 19, 40, 61 and 82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levi and further in view of Dacier et al. (US 2003/0110398), hereafter Dacier.

Levi shows claims 1, 22, 43 and 64.

Levi does not show where the particular site utilizes network address translation.

Dacier shows utilizing network address translation (Figs. 1, 2, 3, and 4, [0044], where Firewall 13 of Fig. 1 is a NAT).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Levi with that of Dacier in order to support processing alarms on more advanced network configurations such as those shown in Dacier, that utilize standardized technology such as NATs, allowing for alarm identification and investigation that yield a root cause for said alarm (Dacier, Abstract).

Response to Arguments

27. Applicant's arguments with respect to claims 1 - 84 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M. Frink whose telephone number is (571) 272-9686. The examiner can normally be reached on M-F 7:30AM - 5:00PM EST; off alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571)272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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